AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c), 307 (c) and (d), and 316(b) of the Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c), and 1326(c); 86 Stat. 816 *et seq.*, Pub. L. 92–500; 91 Stat. 1567, Pub. L. 95–217.

Subpart A—Beet Sugar Processing Subcategory

SOURCE: 39 FR 4037, Jan. 31, 1974, unless otherwise noted.

§ 409.10 Applicability; description of the beet sugar processing subcategory.

The provisions of this subpart are applicable to discharges resulting from any operation attendant to the processing of sugar beets for the production of sugar.

§ 409.11 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in part 401 of this chapter shall apply to this subpart.

(b) The term *barometric condensing operations* shall mean those operations or processes directly associated with or related to the concentration and crystallization of sugar solutions.

(c) The term *product* shall mean crystallized refined sugar.

§ 409.12 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available; provided however, that a discharge by a point source may be made in accordance with the limitations set forth in either paragraph (a) of this section exclusively, or paragraph (b) of this section exclusively, below:

(a) The following limitations establish the maximum permissible discharge of process waste water pollutants when the process waste water discharge results from barometric condensing operations only.

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kg/kkg of product)	
BOD*5*	3.3	2.2
pH	(1)	(1)
Temperature	(2)	(2)
	English units (lb/1,000 lb of product)	
BOD*5*	3.3	2.2
pH	(1)	(1)
Temperature	(3)	(3)

[1] Within the range 6.0 to 9.0.
[2] Temperature not to exceed the temperature of cooled water acceptable for return to the heat producing process and in no event greater than 32 °C.
[3] Temperature not to exceed the temperature of cooled water acceptable for return to the heat producing process and in no event greater than 90 °F.

(b) The following limitations establish the maximum permissible discharge of process waste water pollutants when the process waste water discharge results, in whole or in part, from barometric condensing operations and any other beet sugar processing operation.

Effluent characteristic	Effluent limitations	
	Maximum for any 1 day	Average of daily values for 30 consecutive days shall not exceed—
	Metric units (kg/kkg of product)	
BOD*5*	3.3	2.2
TSS	3.3	2.2
pH	(1)	(1)
Fecal coliform	(2)	(2)
Temperature	(3)	(3)
	English units (lb/1,000 lb of product)	
BOD*5*	3.3	2.2
TSS	3.3	2.2
pH	(1)	(1)
Fecal coliform	(4)	(4)
Temperature	(5)	(5)

[1] Within the range 6.0 to 9.0.
[2] Not to exceed MPN of 400/100 ml at any time.
[3] Not to exceed 32 °F.
[4] Not to exceed MPN of 400/100 ml at any time (not typically expressed in English units).
[5] Not to exceed 90 °F.

§ 409.13 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

(a) The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source where the sugar beet processing capacity of the point source does not exceed 1090 kkg (2300 tons) per day of beets sliced or where the soil filtration rate, whether natural or by deliberate design, within the boundaries of all waste water treatment or retention facilities associated with the point source is less than or equal to 0.159 cm (1/16 in.) per day; provided however, that a discharge by a point source may be made in accordance with the limitations set forth in either paragraph (a)(1) exclusively, or paragraph (a)(2) of this section exclusively.

(1) The following limitations establish the maximum permissible discharge of process waste water pollutants when the process waste water discharge results from barometric condensing operations only.

Effluent characteristic	Effluent limitations
Temperature	Temperature not to exceed the temperature of cooled water acceptable for return to the heat producing process and in no event greater than 32 °C (90 °F).

(2) The following limitations establish the maximum permissible discharge of process waste water pollutants when the process waste water discharge results, in whole or in part, from barometric condensing operations and any other beet sugar processing operation.

Effluent characteristics	Effluent limitations
Temperature	Not to exceed 32 °C (90 °F).

(b) [Reserved]

[39 FR 4037, Jan. 31, 1974, as amended at 40 FR 36337, Aug. 20, 1975; 44 FR 50740, Aug. 29, 1979]

§ 409.14 Pretreatment standards for existing sources.

Any existing source subject to this subpart that introduces process wastewater pollutants into a publicly owned treatment works must comply with 40 CFR part 403. In addition, the following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a